



MANDATORY REPORTING POLICY

Purpose of this policy

To define the roles and responsibilities of school staff in protecting the safety and wellbeing of children and young people and to enable staff to:

- identify indicators that a child or young person may be in need of protection
- make a report about a child or young person who may be in need of protection
- comply with reporting obligations under child protection law and criminal law and fulfil their duty of care.* Fulfilling the roles and responsibilities contained in the procedure does not displace or discharge any other obligations that arise if a person reasonably believes that a child is at risk of abuse.

Policy

Reporting child protection concerns

Mandatory reporters, who believe on reasonable grounds that a child or young person is in need of protection from physical injury or sexual abuse, must report their concerns to Department of Health and Human Services (DHHS) Child Protection.

All other school staff members who form a belief on reasonable grounds that a child or young person:

- is in need of protection, should report their concerns to DHHS Child Protection or Victoria Police.
- is displaying sexually abusive behaviours and is in need of therapeutic treatment should report their concerns to DHHS Child Protection.

If staff have significant concerns for the wellbeing of a child or young person they should report their concerns to DHHS Child Protection or Child FIRST.

In cases where staff have concerns about a child or young person, they should also discuss their concerns with the principal or a member of the school leadership team.

Reporting criminal child sexual abuse - failure to disclose offence

Any staff member who forms a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child under 16 must disclose that information to police. Failure to disclose the information to police is a criminal offence, except in limited circumstances such as where the information has already been reported to DHHS Child Protection.

The offence applies to **all adults** in Victoria, not just professionals who work with children. To read more information about the 'failure to disclose' offence, see: [Department of Justice and Regulation – Failure to disclose offence](#)

Duty of care

School staff have a duty of care to protect the safety, health and wellbeing of children in their care. If a staff member has concerns about the safety, health and wellbeing of children in their care they should take immediate action. In the case of a child who may be in need of protection or therapeutic treatment, or where there are significant concerns about the wellbeing of a child, school staff can discharge this duty of care by taking action which includes the following:

- reporting their concerns to the DHHS Child Protection or another appropriate agency (as identified above)
- notifying the principal or a member of the school leadership team of their concerns and the reasons for those concerns.

Protecting children from the risk of sexual abuse - failure to protect offence

Any staff member in a position of authority, who becomes aware that an adult associated with their organisation (such as an employee, contractor, volunteer or visitor) poses a risk of sexual abuse to a child under the care, authority or supervision of the organisation, must take all reasonable steps to remove or reduce that risk. This may include, for example, removing the adult from child-related work pending investigation. If a staff member in a position of authority fails to take reasonable steps in these circumstances, this may amount to a criminal offence.

The offence applies to **all adults** in Victoria, not just professionals who work with children. To read more information about the 'failure to disclose' offence, see: [Department of Justice and Regulation – Failure to disclose offence](#)

This policy was ratified at School Council meeting: March, 24th, 2021

To be reviewed annually

Reviewed: 24/3/2021

Next Review: 2022